



Animal Defenders  
Office

Using the law to protect animals

The "objects"  
section of an Act  
outlines the  
purpose of the  
Act

**Submission deadline:**  
Sunday, 21 June 2020 at 11:55pm

# NSW Animal Welfare Reform - Issues Paper

## Points for writing your submission

The Department of Primary Industries (the government entity responsible for animal welfare in NSW), wants to reform NSW animal welfare laws. The ADO wants to ensure you have your say about what you think should be reformed, so we put together this guide to help you get started with your own submission or complete the survey. It contains some of our ideas, to get you thinking. You don't have to agree with us :)

You can access the Issues Paper and a link to the survey here:

<https://tinyurl.com/yctvnt9r>

### Meaning of "welfare" (p. 11 of Issues paper)

- In its discussion of what is 'welfare', the Issues Paper refers to the 'Five Freedoms' framework. This dates back to the 1960s and is out of date. Experts no longer think it is sufficient for ensuring animal wellbeing. They focus instead on whether animals in human care have a 'life worth living'. We think this is a better approach. For more, see the ACT's *Animal Welfare and Management Strategy*, p. 9: <https://tinyurl.com/y9jkjmgm>

### Definition of "pain" (p. 23)

- We know that animals can suffer both physically *and* mentally, so definitions of 'pain' should refer to psychological suffering as well.

### Animals used for "research" (p. 24)

- Using chickens for school hatching projects should be banned rather than regulated under the *Animal Research Act*.
- Researchers should be required to explain why, if the animals they use can't be rehomed at the end of the research.

### Objects of the Acts (p. 13)

- Science has long recognised that animals are 'sentient' ie they can experience the world, and feel pleasure and pain. NSW's laws should recognise that animals are sentient, and that they have intrinsic value, ie their lives matter to them and are ethically significant.

### Definition of "animal" (p. 16)

- The current NSW animal welfare law defines "animal" as a vertebrate, or as a crustacean (eg lobsters) when used for human consumption. We think the definition should be wider and include crustaceans wherever they are, and Cephalopods, like octopuses. What about bees? They are included in Norway's welfare laws!

### What constitutes "cruelty" (p. 18)

- Are there acts of cruelty that should be prohibited by NSW laws? We think there are, e.g. mulesing sheep, letting caught fish suffocate to death, dehorning cows.
- What about acts that should only be done by vets? E.g. castrating farm animals

### Compliance powers and tools (p. 27)

- In line with recommendations in the recent *Report on Animal Welfare Laws in NSW*, a specialist unit in NSW Police should be created to enforce animal welfare laws: <https://tinyurl.com/y9wnafiz>
- Should the Department of Primary Industries (responsible for overseeing agriculture, hunting and fishing) remain responsible for regulating animal welfare?

### Penalties (p. 31)

- NSW animal welfare laws have the lowest penalties for animal cruelty in the country: <https://tinyurl.com/y9dxdwdf>
- Should the penalties be increased?

# Some tips!

- Make your points clear and concise (use dot points if that helps!)
- Offer concrete suggestions for improvements
- If possible, provide evidence (e.g. links to websites) from reputable sources to support your opinions